

[REDACTED]
ADDENDUM TO JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Monday - 13 March 1978

Justice

STAT

STAT 1. [REDACTED] LIAISON Called Sherry Towell, Chief Clerk, Senate Select Committee on Ethics, regarding an administrative matter related to a security clearance request for an Ethics Committee staffer.

STAT 2. [REDACTED] LIAISON Took a call from Larry Sulc, Minority staff, House International Relations Subcommittee on International Organizations, who said that he wanted to visit Headquarters to write his own summary of "old" documents. I told Sulc, this would be acceptable provided that Michael Hershman, Deputy Staff Director of the Subcommittee, knew about the visit.

Later in the day, Sulc visited Headquarters to review "old" material and prepare an information summary for review and clearance for public release. Sulc said that Chairman Donald M. Fraser (D., Minn.) was still promising to raise the matter of the Subcommittee staff's alleged unauthorized possession of a transcript of an Agency document with us. Sulc also said that he was only vaguely aware of any new understanding between the Subcommittee and the Department of Justice.

[REDACTED]
Acting Legislative Counsel

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cc:
O/DDCI
Ex. Sec.
DDA
DDS&T
Mr. Lapham
Mr. Hetu
SA/DO/[REDACTED]
Resource Management Staff
Compt.
NFAC

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Monday - 13 March 1978

Justice

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1. [] LIAISON Per her earlier request, I had [] deliver the following publications to Betsy Keyes, on the staff of the House Permanent Select Committee on Intelligence: Chief of State and Cabinet Members of Foreign Governments, World Shipbuilding: Facing up to Overcapacity, Directory of the Cuban Government and Mass Organizations, Cuban Party and Government Leadership, and a wall chart of the Chinese Communist Party Organizations. I also informed Ms. Keyes that the wall chart on CPSU Central Committee: Executive and Administrative Apparatus was on order and would be forwarded to her in a couple of weeks.

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2. [] LIAISON I accompanied [] DDO, [] to a meeting with Joe Nellis, Chief Counsel, House Select Committee on Narcotics and Drug Abuse Control, and Bill Lawrence, Chief of Staff of the Committee. The purpose of the meeting was to give them our responses to information previously provided by the Committee. (See Memorandum for the Record, OLC 78-1108.)

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3. [] LIAISON I called Paul Michel, Department of Justice, and discussed with him the leak problem connected with the House International Relations Subcommittee on International Organizations and gave him additional details as we know them regarding specific leaks.

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4. [] LIAISON Sent by courier to Thomas K. Latimer, Staff Director, House Permanent Select Committee on Intelligence, a copy of the entrance on duty Secrecy Agreement (see OLC 78-1022/a).

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5. [] LIAISON Sent by courier to Thomas K. Latimer, Staff Director, House Permanent Select Committee on Intelligence, fourteen articles from "Studies in Intelligence" that he requested in his letter of 3 March 1978 (see OLC 78-0910/a).

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Justice

18. [] LIAISON Took a call from Dave Melocik, Congressional Relations, Drug Enforcement Administration, who indicated he had received a written request from the House Select Committee on Assassinations for any and all files on [] He called me to seek the true identity so that he might process this request. I indicated I would call him back later in the day with further thoughts on this matter.

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19. [] LIAISON Called Ken Klein, Senior Counsel, House Select Committee on Assassinations, to indicate that Office of Security files on [] were ready for review. Klein indicated he would visit the Agency tomorrow to conduct this file review.

20. [] LIAISON Betsy Wolf and Dan Hardway, House Select Committee on Assassinations staff, visited Headquarters to review Agency material.

21. [] LIAISON Spoke to [] NSA, on the secure phone, concerning the House International Relations Subcommittee on International Organizations (Fraser Subcommittee) request for access to NSA material. I also sent him a copy of the Attorney General agreement with the Subcommittee.

22. [] LIAISON Called Paul Michel, Department of Justice, to be assured that any CIA originated information made available by Justice to the House International Relations Subcommittee on International Organizations (Fraser Subcommittee) is appropriately sanitized according to CIA's criteria and he assured me that this would be the case. I advised []

23. [] LIAISON Called Barbara Allen, in the office of Norvill Jones, Staff Director, Senate Foreign Relations Committee, and provided her with number of the Foreign Service List. She will pass this number on to Mr. Jones.

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T. J. Jaffe

[REDACTED]
JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Monday - 6 March 1978

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1. [REDACTED] LEGISLATION Spoke with Irving Jaffe's secretary, at the Department of Justice, regarding Jim Conley's call to Mr. Jaffe on Friday, 3 March. She said he had not been able to return Mr. Conley's call and was now out of town. I relayed that Mr. Conley was interested in whether Justice has proposed an amendment to the Federal Tort Claims Act to cover constitutional torts overseas, and if so what reception it received on Capitol Hill. She said she would check and call me back.

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2. [REDACTED] LEGISLATION Called Mr. Bob Hull, at the State Department, to ask him about the provision in H.R. 10691, the International Development Cooperation Act, which provides that an AID employee who is on the foreign service retirement system may have his annuity based on a "high-one" instead of the high three consecutive years. He said the State Department would probably submit an amendment that would broaden the provision to include all foreign service officers. He asked me if I found anything else objectionable in the bill, and I mentioned a few sections I felt would have an adverse impact on the Agency.

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3. [REDACTED] LEGISLATION Called George Howe, at the Civil Service Commission, and asked him for copies of the CSC draft reform bill. He said the bill was available, and if I sent a courier over I could have as many copies as I needed.

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4. [REDACTED] EMPLOYMENT Received a call from Mr. Dolan, in the office of Representative Joseph D. Early (D., Mass.), who requested a professional employment package for a constituent. OLC Registry will forward the material.

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5. [REDACTED] LIAISON Received a call from Susan, in the office of Representative Robert L. Livingston (R., La.), who asked for a copy of the National Basic Intelligence Factbook. A copy was forwarded this date.

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Justice

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25. [] LIAISON Sent by courier to Thomas K. Latimer, Staff Director, House Permanent Select Committee on Intelligence, for his information, a copy of recent correspondence between the Director and the Attorney General intended to establish procedures for reporting violations of federal law as required by 28 U.S.C. 535.

26. [] LIAISON Sent by courier to Loch Johnson, House Permanent Select Committee on Intelligence staff, the NPIC/IEG Spot Cable Distribution List for his use and retention.

26. [] LIAISON Received a call from [] on the staff of the Ad Hoc Select Committee on Energy, requesting an employment application (professional) be sent to her. OLC Registry was advised.

27. [] LIAISON Sent by courier to Chairman Les Aspin (D., Wis.), Subcommittee on Oversight, House Permanent Select Committee on Intelligence, a letter (OLC 78-0474/2) dated 6 March 1978 r [] The letter was signed by [] Acting Legislative Counsel.

28. [] LIAISON Called David Bushong, Senate Select Committee on Intelligence staff, who told me that he still needed one final item he had requested in connection with the Committee inquiry into drug trafficking []

29. [] LIAISON Received a call from Don Sanders, Senate Select Committee on Intelligence staff, who indicated that he completed the report he had worked on last fall [] and would give me a copy of the report tomorrow. He also indicated that Senator Adlai Stevenson (D., Ill.) had called a meeting of the Senate Select Committee on Ethics, of which he is Chairman, for 9 March to discuss leaks on Panama and he needed the damage assessment he had previously asked me for no later than 8 March.

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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 7 March 1978

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1. [] ADMINISTRATIVE - DELIVERIES Sent to Elliot Maxwell, Senate Select Committee on Intelligence staff, and Walt Sheridan, on the staff of the Subcommittee on Health and Scientific Research, Senate Committee on Human Resources, the unclassified 10th release of the BLUEBIRD/ARTICHOKE documents.

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2. [] LIAISON House Select Committee on Assassinations staffers visited Headquarters to review Agency material.

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3. [] LIAISON Met with Michael Goldsmith, Bob Genzman, Howard Leap, all of the House Select Committee on Assassinations staff conducting the Kennedy phase of the investigation, who raised several problems they are having with a number of requests. (See Memorandum to [])

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4. [] LEGISLATION Received a call from Bob Carlstrom, OMB, concerning my request for amendments to the Federal Tort Claims Act proposed by the Department of Justice in November 1977. Mr. Carlstrom said he had no record of any such amendments and assumed the Justice letter referring to them was in error and actually meant September 1977 amendments.

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5. [] LIAISON Ms. Diane Williams, on the House Government Operations Committee staff, called to request a copy of the "Freedom of Information Act Annual Report to the Congress for the Year 1977" which was sent to Thomas O'Neill, Speaker of the House. After checking with [] I informed Diane that I would send her a copy.

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6. [] HEARING Attended a House Permanent Select Committee on Intelligence hearing on the FY 1979 CIA budget. (See Memorandum for the Record.)

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✓ 13. [REDACTED] ADMINISTRATIVE DELIVERIES

Delivered to Susan Mahler, Senate Select Committee on Intelligence staff, Headquarters Instruction Sheets 1103 and 1090 for HR 22 and HR 1, respectively, a note forwarding FY-1979 NFIP Budget-Related quality of analysis initiatives, and a note forwarding correspondence between the Director and the Attorney General regarding reporting violations of federal law as required by 28 U.S.C. 535, all for Bill Miller, Committee Staff Director; a blind memorandum on Agency search into allegations of [REDACTED] and a copy of the original correspondence forwarded by Earl Eisenhower, of the Committee staff, for him; a letter from the Director regarding a request that Agency employees meet with Pat Norton, of the Committee staff, to discuss handling of espionage cases under present law and under S. 2525 for Senator Walter Huddleston (D., Ky.); a blind memorandum on ICBM force survivability and a blind memorandum on SS-20 Ballast question for Ed Levine, of the Committee staff; and personal notes taken by Mike Epstein and Jean Christoff, both of the Committee staff, addressed to Mike Epstein.

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[REDACTED]
[Signature]
Acting Legislative Counsel

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cc:
O/DDCI

[REDACTED]
Ex. Sec.
DDA DDS&T
Mr. Lapham
Mr. Hetu
IC Staff

[REDACTED]
Comptroller
NFAC

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Wednesday - 8 March 1978

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25X1 3. [] LIAISON Sam Hoskinson, NSC staff,
called concerning a letter from Chairman Donald Fraser (D., Minn.),
House International Relations Subcommittee on International Organizations,
requesting a meeting with the President for the purpose of obtaining
25X1 access to NSA documents in connection with Chairman Fraser's investi-
gation of [] I recommended an interim response, not referring to the
President for the time being, and brought Hoskinson up-to-date on the exchange
25X1 of correspondence between the DCI and Deputy Secretary of Defense Duncan.

I then called [] NSA, who was unaware of the request
from Chairman Fraser and indicated his understanding of the agreement
between the Attorney General and Chairman Fraser for access to Justice
material, specifically excluding the Department of Defense, i.e., NSA.
The problem bothering NSA apparently centers around the Subcommittee
staff problems.

25X1 4. [] LIAISON Alerted Bill Miller, Staff
Director, Senate Select Committee on Intelligence, that we would
be meeting personally with Senator James Abourezk (D., S. Dak.)
to review material on the USS Liberty matter as the Senator had
rejected our proposal to forward the material to the Select Committee
for the Senator's perusal.

25X1 5. [] LIAISON Discussed with Mike Epstein,
Senate Select Committee on Intelligence staff, the conclusions he had
reached as a result of his investigation of CIA/FBI cooperation concerning
25X1 the [] that there wasn't any bar to investigation but there could have
been an honest misunderstanding arising out of a conversation between
the CIA and an FBI officer.

25X1 6. [] LIAISON In response to a request of
25X1 yesterday from [], I called Marianne, in the office of
Senator Joseph R. Biden (D., Del.), and asked if we could obtain copies
of a study released by the Senator entitled "Western European Communist
Parties in 1977." Marianne said she would get the copies for me and I
arranged to have a courier pick them up.

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Thursday - 9 March 1978

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24. [] LIAISON Received a call from Steve Emerson, Senate Foreign Relations Committee staff, who said that his subscription to the [] on the Middle East and North Africa had suddenly stopped. I told him I would correct the matter for him and asked that he call me if he did not start receiving the publication within the next few days.

25. [] LIAISON Called Fred Barron, Department of Justice, and spoke to him about the agreement between Justice and the House International Relations Subcommittee on International Organizations regarding the handling of material and expressed certain concerns we still had with respect to the passage of information to that Subcommittee.

[]

27. [] LIAISON Sam Hoskinson, NSC staff, called and asked if we had determined whether the Director wanted to participate in the preparation of a response to Representative Donald M. Fraser's (D., Minn.) letter to the President. After discussing the matter with the Director, I called Hoskinson back and told him that the Director felt the matter should be handled by DOD.

28. [] LIAISON Bill Miller, Senate Select Committee on Intelligence Staff Director, called to alert us to a problem with respect to Senator Lowell P. Weicker's (R., Conn.) request to the Director for an investigation into certain aspects of the [] problem. I told him I appreciated the call and we would take action right away.

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34. [] LEGISLATION Called the Senate Committee on Governmental Affairs to check on the status of S. 2596, a "Presidential Papers" bill. I spoke with Chris Burnstein, who indicated that nothing to date has been scheduled with regard to the bill. Ms. Burnstein indicated that the person on the Committee who will be handling the bill is Ira Shapiro.

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35. [] LEGISLATION Called John Seivert, at the Department of Justice, to discuss their proposed amendments to the Federal Tort Claims Act. The amendments would establish disciplinary procedures against employees who violated the constitutional rights of any person. ✓ Seivert said that Justice is not enthisiastic about the bill, but it is necessary so that the main amendments to the Federal Tort Claims Act (those which would substitute the Government rather than the employee as a defendant) would be passed by Congress. I outlined our problems with the procedures for him, including comments on the Director's summary termination power and our problems regarding disclosure of confidential or sources and methods information during the hearings. He said the Department of Justice had recognized this when they drafted the legislation, and they will be responsive to our comments.

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36. [] LEGISLATION Talked with Jack Perkins, at the Department of Justice, concerning the proposed amendments to the Federal Tort Claims Act. ✓ Mr. Perkins briefly went into the background of why Justice had proposed these amendments and indicated that they were not enthusiastically supporting the amendments.

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37. [] LEGISLATION Called Bob Carlstrom, OMB, in response to their request for oral comments on the Department of Justice proposed amendments to S. 2117, the Federal Tort Claims Act amendments. I gave him the gist of our problems, and he asked that we forward a letter outlining our concerns.

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38. [] LEGISLATION Called Bob Lockhart, Deputy General Counsel to the House Post Office and Civil Service Committee, to find out what witnesses were testifying tomorrow on the Civil Service reform bill.

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Friday - 3 March 1978

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27. [REDACTED] LEGISLATION Took a call from Bob Ravin, in the Office of General Counsel at the Department of Defense, concerning an editorial in the 27 February New York Times. The editorial stated that the Senate Select Committee on Intelligence had proposed an "Agee-type statute" to protect the names of intelligence agents. Mr. Ravin wanted to know what this was. I pointed him to the correct section of the intelligence charter bill, S. 2525.

STAT

28. [REDACTED] LEGISLATION Called Jim Stimpson, OMB, to tell him that our comments on HEW's comments on our views letter on S. 1893, the biomedical and behavioral research bill, was being signed by the Director and would be in the mail on Monday. He informed me that Senator Edward Kennedy (D., Mass.) had introduced a new bill, S. 2579, which deals with the same subject, and that OMB would be sending it around for comments in the near future.

In response to my question, Mr. Stimpson said that the Civil Service Commission would probably be proposing a new physicians pay bill.

STAT

29. [REDACTED] LEGISLATION Called Bob Carlstrom, OMB, concerning a letter from the Department of Justice which referred to November 1977 amendments to the Federal Tort Claims Act. I told Mr. Carlstrom we had not seen these amendments, and he promised to forward a copy of them to us.

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30. [REDACTED] LIAISON Called Jim Bush, House Permanent Select Committee on Intelligence staff, to confirm that the DCI would be available on 8 March 1978 for the NFIP wrap-up at 0900 hours.

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31. [REDACTED] LIAISON Sent by courier, to Mr. Thomas K. Latimer, Staff Director, House Permanent Select Committee on Intelligence, a letter dated today concerning whether the DCI had in fact ordered an investigation of the possibility that someone in the CIA had leaked information on [REDACTED]

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